IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 13472 of 2004

Between:

1 Pyla Abbai Naidu, S/o Rajulu,
Kotananduru PACS, Kothanaduru Village & Mandal,
R/o K.S. Kothuru, K. Kottam Post,
Kotananduru Mandal, East Godavari District.

2 Adigarla Venkata Ramana Murthy, S/o Apparao,
Kotananduru PACS, Kothanaduru Village & Mandal,
R/o.K. Kottam Post,
Kotananduru Mandal, East Godavari District.

3 Pampanaboina Sivanarayana, S/o Konda Abbai,
Kotananduru PACS, Kothanaduru Village & Mandal,
East Godavari District.

..... PETITIONERS

AND

1 The Government of A.P., Represented by its Secretary,
Cooperation Department, Secretariat, Hyderabad.

2 The Commissioner for Cooperation and Registrar of
Cooperative Societies, Nampally, Hyderabad.

3 The District Cooperative Officer, Kakinada, East Godavari
District.

4 The Divisional Cooperative Officer, Peddapuram,
East Godavari District.

5 Kotananduru PACS, Kothanaduru Village & Mandal, East

Godavari District, Represented by its Chairman/PIC.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the impugned G.O.Ms.No. 94 (Agriculture and Cooperation (Coop.VI) Department, dated 28-2-2004 as illegal, arbitrary and contrary to the provisions of A.P. Cooperative Societies Act, 1964 apart from being violative of the fundamental rights guaranteed to the petitioners under Articles 14 and 21 of the Constitution of India and consequently set aside the same.

Counsel for the Petitioners: Mr. V.R.Reddy Kovvuri

Counsel for Respondent Nos.1 to 4: GP for Cooperation

Counsel for Respondent No.5: Mr. C.V. Mohan Reddy.

The Court made the following order:

Learned counsel appearing for the petitioners submits that the subject matter of this writ petition is squarely covered by the judgment of this Court in W.P.No.3171 of 2003 and batch dated 30-8-2004.

Following the said judgment, this writ petition is dismissed by and in terms thereof. No costs.

9-9-2004

lvl

To,

1. The Secretary, Government of A.P.
   Cooperation Department, Secretariat, Hyderabad.
   (with a copy of order dated 30-8-2004 in W.P.No.3171 of 2003 and batch).

2. The Commissioner for Cooperation and Registrar of Cooperative Societies, Nampally, Hyderabad.

3. The District Cooperative Officer, Kakinada, East Godavari District.

4. The Divisional Cooperative Officer, Peddapuram, East Godavari District.

5. The Chairman/PIC, Kotananduru PACS, Kothanaduru Village & Mandal, East Godavari District.

6. Two CCs to G.P. for Cooperation, High Court of A.P., Hyderabad. (out)

7. Two CD copies.